

BLANKET PURCHASE ORDER

STATE OF MARYLAND

***** STATE OF MARYLAND *****

BPO NO: 001B3400558

PRINT DATE: 10/31/15

PAGE: 01

SHIP TO:

AS SPECIFIED ON INDIVIDUAL ORDERS

VENDOR ID:

CARDIAC SCIENCE CORP
N7 W22025 JOHNSON DR

WAUKESHA, WI
(800)426-0337

53186-1856

REFER QUESTIONS TO:

IRIS LESTER
(410)767-4612
IRIS.LESTER@MARYLAND.GOV

ITB: 001IT819168

EXPR DATE: 05/31/16
POST DATE: 05/21/13

DISCOUNT TERMS: . NET 30 DAY
CONTRACT AMOUNT: .00

TERMS:

ARTICLES HEREIN ARE EXEMPT FROM MARYLAND SALES AND USE TAXES BY EXEMPTION CERTIFICATE NUMBER 3000256-3 AND FROM FEDERAL EXCISE TAXES BY EXEMPTION NUMBER 52-73-0358K. IT IS THE VENDOR'S RESPONSIBILITY TO ADVISE COMMON CARRIERS THAT AGENCIES OF THE STATE OF MARYLAND ARE EXEMPT FROM TRANSPORTATION TAX.

STATEWIDE CONTRACT FOR DEFIBRILLATORS AND ACCESSORIES

CONTRACT PERIOD: JUNE 1, 2013 THROUGH MAY 31, 2016 (3 YEARS)

PROCESSING FEE: CONTRACTOR SHALL PAY A PROCESSING FEE TO THE STATE IN THE AMOUNT OF ONE PERCENT (1%) OF THE TOTAL CONTRACT SALES. THE PROCESSING FEE IS CALCULATED BASED ON ALL SALES TRANSACTED UNDER THE CONTRACT, MINUS ANY RETURNS OR CREDITS. THE PROCESSING FEE SHALL NOT BE CHARGED DIRECTLY TO THE CUSTOMER, E.G., AS A SEPARATE LINE ITEM, FEE OR SURCHARGE, BUT SHALL BE INCLUDED IN THE CONTRACT'S UNIT PRICES.

THE PROCESSING FEE SHALL BE SUBMITTED TO THE DEPARTMENT OF GENERAL SERVICES, FISCAL SERVICES DIVISION, 301 W. PRESTON STREET, ROOM 1309, BALTIMORE, MD 21201, WITHIN TEN (10) CALENDAR DAYS FOLLOWING THE END OF EACH CALENDAR MONTH ALONG WITH A MONTHLY USAGE REPORT DOCUMENTING ALL CONTRACT SALES. AN EXCEL VERSION OF THE MONTHLY USAGE REPORT SHALL ALSO BE EMAILED TO THE PROCUREMENT OFFICER.

FAILURE TO REMIT PROCESSING FEES IN A TIMELY MANNER OR REMITTANCE OF FEES INCONSISTENT WITH THE CONTRACT'S REQUIREMENTS MAY RESULT IN THE STATE EXERCISING ALL RECOURSE AVAILABLE UNDER THE CONTRACT INCLUDING, BUT NOT LIMITED, TO, A THIRD PARTY AUDIT OF ALL CONTRACT ACTIVITY.

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TERMS (cont'd):

SHOULD AN AUDIT BE REQUIRED BY THE STATE, THE CONTRACTOR SHALL REIMBURSE THE STATE FOR ALL COSTS ASSOCIATED WITH THE AUDIT UP TO \$10,000 OR ONE PERCENT (1%) OF THE CONTRACT'S ESTIMATED ANNUAL VALUE, WHICHEVER IS HIGHER.

A REPORT MUST BE FURNISHED BY THE SUCCESSFUL VENDOR EVERY SIX (6) MONTHS DETAILING THE PURCHASE OF ALL ITEMS ON THE CONTRACT. FORMAT SHALL BE AT VENDORS OPTION PROVIDING THAT, AS A MINIMUM, THE REPORT REFLECTS THE CONTRACT NUMBER, CONTRACT ITEM NUMBER, THE DOLLAR VOLUME PURCHASED OF EACH ITEM, AGENCY IDENTIFICATION, AND THE CONTRACT TOTAL. THE REPORT MUST BE FILED WITHIN THIRTY (30) DAYS AFTER THE END OF EACH REPORTING PERIOD. ANY EXCEPTION TO THIS MANDATORY REQUIREMENT MAY RESULT IN CANCELLATION OF THE AWARD. FAILURE TO PROVIDE THE REPORT WITH THE MINIMUM REQUIRED INFORMATION MAY ALSO NEGATE ANY CONTRACT EXTENSION CLAUSES. BIDS SUBMITTED IN RESPONSE TO THIS SOLICITATION MUST BE SUBMITTED ONLINE VIA EMARYLAND MARKETPLACE. BIDS WILL NOT BE ACCEPTED BY FAX, BY MAIL OR BY HAND DELIVERY.

MULTIPLE OR ALTERNATE BIDS ARE NOT ACCEPTABLE.

PRICES QUOTED MUST BE VALID FOR NINETY (90) DAYS AFTER BID OPENING.

QUOTED PRICES ARE TO BE NET 30 DAYS F.O.B. STATE USING AUTHORITIES AN INCLUDE FREIGHT/SHIPPING, HANDLING AND ADMINISTRATION CHARGES. ALL DISCOUNTS ARE TO BE DEDUCTED AND REFLECTED IN NET PRICES.

THIS QUOTATION IS SUBMITTED WITH THE UNDERSTANDING THAT THE VENDOR SHALL COMPLY WITH ALL FEDERAL AND STATE OSHA REGULATIONS, THE STATE OF MARYLAND PROCUREMENT REGULATIONS IN EFFECT AT THE TIME OF SUBMISSION AND THE INSTRUCTIONS PROVIDED HERE-IN.

TIE BIDS WILL BE HANDLED IN ACCORDANCE WITH COMAR 21.05.02.14.

CORPORATE "P" PURCHASING CARDS WILL BE USED FOR PAYMENT FOR ALL INDIVIDUAL AGENCY CONTRACTS OF \$5,000 OR LESS.

QUOTES FOR THIS CONTRACT SHALL BE PRESENTED BASED ON PERCENT OFF VENDORS PUBLISHED CATALOG PRICE LIST. BIDDERS MUST SUBMIT A COPY OF THE PRICE LIST WITH THE BID. FAILURE TO SUBMIT A COPY OF THE PRICE LIST WILL RESULT IN REJECTION OF THE BID.

PLEASE STATE PRICE LIST EFFECTIVE DATE IN THE COMMENTS SECTION FOR THE CATALOG.

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TERMS (cont'd):

VENDORS AGREE TO SUPPLY THE STATE OF MARYLAND WITH COPIES OF THE PRICE LISTS AS REQUESTED BY THE USING AGENCIES AT NO CHARGE.

THE ADDITION OF ITEMS AND DELETION OF DISCONTINUED ITEMS WILL BE PERMITTED AT THE ANNIVERSARY OF THE CONTRACT.

VENDOR, HOWEVER, MUST SUBMIT DOCUMENTATION TO THE PROCUREMENT OFFICER FOR APPROVAL AND MODIFICATION 60 DAYS PRIOR TO THE CONTRACT ANNIVERSARY. DOCUMENTATION TO INCLUDE PRODUCT AVAILABILITY DATE, SPECIFICATIONS AND LIST PRICE. THE BPO PERCENTAGE OFF LIST PRICE WILL APPLY TO NEW ITEMS.

MULTIPLE AWARDS WILL BE MADE FROM THIS SOLICITATION.

SUBMIT BID PROPOSAL AFFIDAVIT, CONTRACT AFFIDAVIT, CONFLICT OF INTEREST AND MERCURY AFFIDAVITS AS AN ATTACHMENT IN EMARYLANDMARKETPLACE WITH YOUR BID.

IN ACCORDANCE WITH COMAR 21.10.02.02, THE DEPARTMENT OF GENERAL SERVICES WILL NOT ACCEPT PROTEST OR CLAIMS BY ANY ELECTRONIC MEANS.

<u>LINE #</u>	<u>STATE ITEM ID</u>	<u>U/M</u>	<u>UNIT COST</u>		
0001	46514	EA	1,195.0000		

DEFIBRILLATORS - PERCENT OFF CATALOG LIST PRICE.

_____ END OF ITEM LIST _____

THIS PROCUREMENT WAS CONDUCTED AS A COMPETITIVE SEALED BID.

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TERMS (cont'd):

THE AWARD WAS MADE TO MULTIPLE VENDORS SUBMITTING THE LOWEST RESPONSIVE AND RESPONSIBLE BIDS BASED ON DISCOUNTED LIST OF MANUFACTURER/BRAND OF DEFIBRILLATORS THAT ARE BEING BID. THE VENDOR IS TO ENTER A ZERO ON THE LINE ITEMS ON EMARYLANDMARKETPLACE AND ATTACH THE DISCOUNTED LISTS.

VENDOR MUST INCLUDE THE 9-DIGIT ZIP CODE OF COMPANY ADDRESS ON ALL INVOICES. FAILURE TO DO SO MAY RESULT IN DELAY OF PAYMENT.

ALL PRODUCTS USED IN PACKING TO CUSHION AND PROTECT DURING THE SHIPMENT OF COMMODITIES ARE TO BE MADE OF RECYCLED, RECYCLABLE, AND/OR BIODEGRADABLE MATERIALS.

THE GOAL OF THE STATE OF MARYLAND'S MINORITY BUSINESS ENTERPRISE (MBE) PROGRAM IS TO ATTEMPT TO PROVIDE A FAIR SHARE OF PROCUREMENT CONTRACTS TO CERTIFIED MINORITY BUSINESS ENTERPRISES. ALTHOUGH THERE IS NO SPECIFIC PERCENTAGE REQUIREMENT FOR MBE PARTICIPATION IN THIS BID, THE COMMODITY PROCUREMENT/PURCHASING BUREAU WOULD LIKE TO KNOW IF YOU WILL HAVE MBE PARTICIPATION IN THE BID? PLEASE INDICATE ON LINE 001 OF YOUR BID EITHER YES OR NO FOR MINORITY PARTICIPATION.

STATE TOLL FREE PHONE NO. AND FAX NO. ON LINE 001 OF YOUR BID.

A PREFERENCE WILL BE GIVEN TO THE RESPONSIVE AND RESPONSIBLE BID FROM A MARYLAND FIRM OVER THAT OF A NONRESIDENT FIRM IF THE STATE IN WHICH THE NONRESIDENT FIRM IS LOCATED GIVES A RESIDENT BUSINESS PREFERENCE. WHERE SUCH A BUSINESS PREFERENCE IS PROVIDED, THE PREFERENCE SHALL BE THE SAME AS THAT PROVIDED BY THE STATE IN WHICH THE NONRESIDENT FIRM IS LOCATED. A NONRESIDENT BIDDER SUBMITTING A PROPOSAL FOR A STATE PROJECT SHALL ATTACH TO THE PROPOSAL A COPY OF THE CURRENT STATUTE, RESOLUTION, POLICY PROCEDURE OR EXECUTIVE ORDER OF THE RESIDENT STATE OF THE NONRESIDENT BIDDER THAT PERTAINS TO THAT STATE'S TREATMENT OF NONRESIDENT BIDDERS.

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AUTHORIZED BY: _____ **DATE:** _____

BUYER AUTHORIZED DESIGNEE